

The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

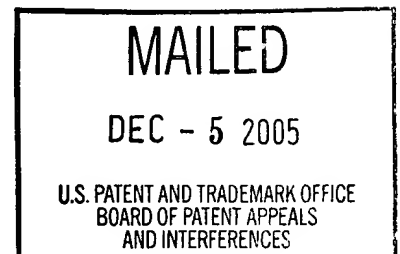
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte CARL J. FRIDDLE and
ERIN HULBUN

Appeal No. 2005-1792
Application 09/975,308


ORDER



On October 28, 2005, the Board rendered a Decision on Appeal. On November 8, 2005, appellants filed a communication stating that "[a]ppellants hereby withdraw the present appeal . . . in order to pursue claims in a continuing application, which was filed on October 5, 2005."

Accordingly, the application is being returned to the examiner for further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES



Craig R. Feinberg
Program and Resource Administrator
(571) 272-9797

Appeal No. 2005-1792
Application 09/975,308

Page 2

Lexicon Genetics Incorporated
8800 Technology Forest Place
The Woodlands, TX 77381-1160

dem